

**MINUTES OF THE CITY OF HOLLADAY
PLANNING COMMISSION MEETING**

**Tuesday, March 19, 2013
6:30 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE

Planning Commission Members:

Lori Khodadad, Chair
Brad Wright, Vice-Chair
Les Chatelain
Spence Bowthorpe
Matt Snow
Chris Jensen

City Staff:

Paul Allred, Community Development Director
Jonathan Teerlink, City Planner
Rick Whiting, City Planner
Pat Hanson, City Planner

PRE-MEETING/WORK SESSION

Chairman Lori Khodadad called the Work Session to order at 6:32 p.m.

The agenda items were reviewed and discussed.

With respect to the Phillips Property Rezone, City Planner, Rick Whiting, reported that the applicant was present. He requested zone change from R-1-21 to R-1-8 with the intention of building a six-lot single-family, detached subdivision. He explained that this zone is specifically called out in the Highland Drive Corridor Master Plan as an acceptable zone. Staff discussed the benefits of the zone change.

(18:40:47) With respect to the Hansen Guesthouse/Accessory Building issue, City Planner, Jonathan Teerlink, reported that the existing home will be demolished. He detailed the proposed layout and reported that the applicant has received approval from the local homeowners association, which was one of the conditions listed in the staff report.

Community Development Director, Paul Allred, remarked that an email was received reporting that the homeowners are agreeable to the proposal. Mr. Teerlink stated that this is a special approval from the Planning Commission based on certain findings of lot size.

(18:50:16) The Commission next discussed the Hanks Subdivision Preliminary Plat located on Casto Lane. Mr. Teerlink was of the understanding that the property owner plans to first construct a new home and then sell the additional lot.

The minutes were reviewed and discussed.

(19:01:47) Commissioner Jensen moved to close the work meeting and move to the Council Chambers for the Regular Meeting. Commissioner Wright seconded the motion. The motion passed with the unanimous consent of the Commission.

CONVENE REGULAR MEETING

Chair Khodadad called the meeting to order at 7:03 p.m.

ACTION ITEMS

1. Phillips Property Rezone-5310 South Highland Drive – Zone Change from R-1-21 to R-1-8 – City Planner Rick Whiting.

(19:10:35) City Planner, Rick Whiting, presented the staff report for the Phillips Property Rezone. He stated that the applicant, John Phillips, has petitioned the City for approval to rezone 1.53 acres of property in order to build a six-lot single-family residential subdivision. This proposed zoning would allow up to seven dwelling units, however, the applicant proposed six. Mr. Whiting discussed the property details contained in the staff report. It was reported that a neighborhood meeting was held and, according to Mr. Phillips, most neighbors agreed that the proposal would be an appropriate land use. Staff recommended that the Planning Commission recommend approval to the City Council.

(19:07:55) Chair Khodadad opened the public hearing.

Matthew Harris gave his address as 5307 Baywood Circle and expressed concern with the building height and location.

Ralph Simon gave his address as 5321 Baywood Circle and shared Mr. Harris' concerns. Mr. Simon understood that the property allows for seven units, but preferred it be limited to five.

There were no further public comments. Chair Khodadad closed the public hearing.

Commissioner Chatelain clarified that the purpose of the hearing is to forward a recommendation to the City Council. He noted that tonight's comments will be addressed when the conceptual plat comes before the Commission.

Karen Miller gave her address as 1906 East Baywood Drive and asked for clarification of the R-1-8 Zone. She indicated that she is in favor of the proposed zone change. Garbage can placement was also discussed.

Mr. Whiting defined the R-1-8 Zone as being single-family residential on a minimum 8,000 square-foot lot. He stated that specific issues will be addressed at the time of conceptual approval.

(19:22:37) Commissioner Wright moved that the Planning Commission recommend the City Council adopt the proposed rezone of the 1.53-acre property located at 5310 South Highland Drive from an R-1-21 to the R-1-8 Zone based on the following:

Findings:

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1. *The Commission finds that this action is supported by careful consideration of the standards of approval found in City of Holladay Ordinance, Chapter 13.07.030.G.2 and the General Plan.*

Commissioner Chatelain seconded the motion. Vote on motion: Chris Jensen-Aye, Spence Bowthorpe-Aye, Les Chatelain-Aye, Brad Wright-Aye, Matt Snow-Aye, Lori Khodadad-Aye. The motion passed unanimously.

2. **Hansen Guesthouse/Accessory Buildings – 6164 South Old Orchard Lane – Planner Jonathan Teerlink.**

(19:24:02) Chair Khodadad reported that Commissioner Jensen would not participate in the discussion of the above item as he has a vested interest in the project.

City Planner, Jonathan Teerlink, presented the staff report and stated that the property owner is Phillip Hansen with Brandon Leroy of Jackson-Leroy Builders and Chris Jensen with Think Architecture representing him. Mr. Teerlink described the project details. He reported that with the exception of an increase in footprint, all other Holladay zoning codes applicable to accessory buildings including setback, height, and graduated height will apply. Staff recommended approval of a conditional use permit to exceed the maximum footprint size by 1,010 square feet for two accessory buildings at 6164 S Old Orchard Lane in the R-1-87 Zone with the findings and requirements detailed in the staff report.

(19:30:12) Chris Jensen from Think Architecture gave his address at 5151 South 900 East and described the layout of the proposed property. With regard to accessory uses under Chapter 13 and Chapter 14 of the Code, two items were detailed. The first described accessory uses and buildings, which specified the square footage as 1,400; the second described a guesthouse as having a footprint of 2,000 square feet. Although the houses have been brought together under a central area, he was of the understanding that they met the intent of the code. Mr. Jensen shared a letter of approval from the homeowners association and requested approval of the conditional use.

(19:35:40) Brandon Leroy gave his office address as 2101 East Murray Holladay Road and commended the Commission on a job well done.

Chair Khodadad opened the public hearing. There were no comments. The public hearing was closed.

(19:37:30) *Commissioner Chatelain moved that the conditional use permit for the property at 6164 South Old Orchard Lane be approved subject to the following:*

Requirements:

1. *The project shall comply with remaining zoning regulations as per Section 13.14.*
2. *City Engineer approved irrigation line improvement of the Tanner Ditch and storm water retention plan shall be submitted.*

3. *Garage and Guesthouse building elevations shall have exterior light fixtures which are compatible with “dark-sky” lighting practices.*
4. *Execution of the “second kitchen affidavit” form shall be signed and recorded against the property.*
5. *Architectural treatments shall be similar or compatible with those of the main home.*
6. *All applicable covenants codes and restrictions of the Moyle Park subdivision shall be respected.*

Commissioner Wright seconded the motion. Vote on motion: Les Chatelain-Aye, Brad Wright-Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Lori Khodadad-Aye. The motion passed unanimously. Commission Jensen did not participate in the vote.

Commissioner Jensen rejoined the meeting.

3. Hanks 2-Lot Subdivision – Preliminary Plat – 2724 East Casto Lane – 2-Lot Subdivision – R-1-10 Zone – Planner Rick Whiting

(19:39:27) Mr. Whiting presented the staff report and stated that the above matter is the continuation from the conceptual approval granted previously by the Planning Commission. He reported that the applicant has submitted all required and additional information in order to comply with the preliminary plat approval requirements. The Technical Review Committee (TRC) reviewed the applicants’ submission along with City Engineer, Clarence Kemp, who approved the requirements set forth in the staff report. Staff recommended that should the Commission approve the request, that the final plat approval be delegated to the TRC.

With respect to item number four under the Approval Standards contained in the staff report, Mr. Whiting stated that there is mention of significant old growth trees on the property and that it would be well for the applicant to respect those trees as much as possible.

The applicant, Norm Dahle, gave his address as 2675 Millcreek Way and stated that every effort will be made to save as many existing trees as possible.

(19:43:37) Commissioner Bowthorpe moved that the proposed preliminary plat for the Hanks 2-Lot Subdivision located at 2724 East Casto Lane in and R-1-10 Zone be approved subject to the following:

Findings:

- A. The proposed project has been reviewed by the Technical Review Committee (TRC) and meets City requirements for Preliminary Plat.***
- B. The proposed project meets the requirements for a residential subdivision in an R-1-10 zone; i.e. area, density, access, slope, public safety, etc.***

- C. This project will have no detrimental effects on the health, safety, or welfare of neighboring properties or the community.*
- D. This project complies with the provisions of the City's General Plan for this area.*
- E. This application is consistent with land use patterns in the general vicinity.*
- F. The UFA has reviewed emergency access as proposed. Fire hydrant capacity and placement will be addressed in the building permit review and approval process.*
- G. Utility providers can serve the property and have provided appropriate service availability letters.*

Requirements:

- 1. A Final Plat and any other requirements for the subdivision shall be submitted to the TRC for approval within one year.*
- 2. Prior to approval of Final Plat - all outstanding TRC issues must be resolved.*
- 3. Curb, gutter and storm drain must be installed along Casto Lane.*
- 4. The project may not interrupt irrigation water for downstream users.*
- 5. The City Engineer must designate and approve any alterations to the irrigation/storm water system associated with this project.*
- 6. The City Engineer will determine appropriate financial requirements for improvements and/or bonding in conjunction with Final Plat approval.*
- 7. A Right-of-Way Easement and Road Maintenance Agreement for the two proposed lots must be recorded with the final plat. It must detail provisions and responsibility for access, maintenance, snow removal, etc.*
- 8. A dedication to the City is required for the public right-of-way on Casto Lane.*

Commissioner Chatelain seconded the motion. Vote on motion: Chris Jensen-Aye, Les Chatelain-Aye, Brad Wright-Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Lori Khodadad-Aye. The motion passed unanimously.

4. Approve Minutes of the February 19, 2013 Meeting.

(19:48:03) The minutes were reviewed and discussed.

Commissioner Jensen moved that the minutes of the February 19, 2013, meeting be approved, with the noted changes. Commissioner Wright seconded the motion. The motion passed with the unanimous consent of the Commission.

DISCUSSION ITEMS

5. Residential Office Zone – RO Zone – Planners: Community Development Director Paul Allred and Pat Hanson.

(19:49:10) City Planner, Pat Hanson, presented the Residential Office Zone to the Commission and explained that tonight was continuing discussion of a proposed new zone intended to accommodate the conversion of homes along major streets into professional offices. Staff prepared an updated draft for consideration by the Planning Commission.

Ms. Hanson discussed possible definitions for “monument sign”. She emphasized that staff is only regulating the size, for these smaller professional offices. Commissioners discussed various heights and square footage allowances. Currently the maximum size allowed for signage in commercial zones can be eight feet tall or a total of 64 square feet.

(19:57:37) Community Development Director, Paul Allred, reported that as the Highland Drive Committee has discussed this issue, they have been extremely concerned with the size of signs.

Commissioner Snow shared a concern about the process of commercial buildings being made to resemble residential buildings. He believed, intuitively, that a building’s function should be clearly understood.

The Commission discussed placement of signage and measurements taken from the level of the sidewalk.

(20:12:20) Ms. Hanson confirmed that the Commission will recommend that signage is to be no more than five feet in height and a maximum of 24 square feet, inclusive of the base. They agreed that the maximum wall signage allowance of 5% is reasonable and asked for Ms. Hanson to include that in the draft.

Language and lighting restrictions were also discussed and the Commissioners requested the RO lighting standards be written in a similar manner to those in the ORD zone.

(20:33:26) Russ Winegar reported that he owns three properties on Highland Drive. He was concerned about home occupations prohibiting the use of outbuildings and suggested there be more detail with regard to the term “light manufacturing”.

(20:42:36) The Commission reviewed the various services and professions as listed on the current land use table and agreed to recommend several uses as conditional in the RO zone.

Commissioner Chatelain remarked that if a business requires a customer to do business, those types of services are not inclusive of what was being discussed.

Commissioner Bowthorpe read from the purpose statement in the RO zone draft. Although primarily the zone is for conversions, he noted that new construction is allowed in the RO zone.

(21:22:39) The issue of the live/work category was discussed by staff. The Commissioners decided to postpone their recommendation on several of the proposed uses in the table, in particular, "personal services", "permanent cosmetics" and "manufacturing". Ms Hanson agreed to include the definitions of all of the proposed uses with the next staff report so the Commissioners could better understand the intent of the table and its broad use categories. She reminded the Commissioners that there would be one more meeting for discussions on the text prior to the public hearing in mid-April.

OTHER BUSINESS

6. **Updates or Follow-Up on Items Currently in the Development Review Process.**
7. **Report from Staff on Upcoming Applications.**
8. **Discussion of Possible Future Amendments to Code.**

ADJOURN

(21:39:49) *Commissioner Snow moved to adjourn. Commissioner Jensen seconded the motion. The motion passed with the unanimous consent of the Commission.*

The Planning Commission Meeting adjourned at 9:40 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the City of Holladay Planning Commission Meeting held Tuesday, March 19, 2013.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: 4-16-13